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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

FEB 14 2020

TONY R. MOORE, CLERK
BY  DEPUTYUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISIONUNITED STATES OF AMERICA : CRIMINAL NO:
3:19-cr-00033-01
VERSUS : JUDGE DOUGHTY

CHRISTOPHER JOE STAMPER : MAGISTRATE HAYES

MOTION TO DISMISS COUNSEL /
INEFFECTIVE ASSIST WITH COUNSEL
(1)

Until February 14, 2018, the defendant Christopher Joe Stamper, had never been arrested. The defendant served approximately one week in Ouachita Correctional Center and then bonded out on 5 counts of Child Pornography State of LA.

(2)

On January 3, 2019 the defendant was arrested on 4 new counts of Child pornography-United States's. He has been incarcerated since.

(3)

The Court appointed Walter M Caldwell IV as legal counsel. Mr. Caldwell has filed several motions without informing the defendant that he was doing so or explaining the contents and reasons for filing the motions.

(4)

The defendant is a high school graduate, understands the charges against him as well as the necessary court proceedings. At no time has the defendant claimed mental incompetence, nor did he ask Mr. Caldwell to use this as his defence or to file a motion to withdraw plea on those grounds.

(5)

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However, the defendant did in fact on multiple occasions inform Mr. Caldwell, that he wanted to file a motion to withdraw plea on the grounds of new evidence supporting the defendant's claim of innocence. Verbal and written confession from Tiffanie C Hale and 4 witness statements proving his innocence.

(6)

In December of 2019, Mr. Caldwell, informed the defendant that the A.U.S.A. was offering him a plea of one Count of Receipt of Child Pornography, with a sentence of 5-20 years in prison, up to life on probation and up to a \$250,000 fine. The defendant offered a counter plea Walter Caldwell refused to discuss with A.U.S.A.

(7)

At this time the defendant maintained his claim of innocence and stated that he wanted to go to trial.

(8)

At this time Mr. Caldwell, stated that the defendant had no defense, that the prosecutor had a strong case against him and that he would lose in trial.

(9)

Mr. Caldwell, also informed the defendant that if he did not take the plea offer that he would be prosecuted to the fullest extent of the law. He would be found guilty on all counts and receive the maximum sentence allowed and that the child protective services would remove his children from the home and place them in state's custody.

(10)

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At this time the defendant asked Mr. Caldwell, why the recorded Verbal Confession from Tiffanie C. Hale was not an adequate defense and Mr. Caldwell, stated that they could not use the recorded Confession because the A.U.S.A did not believe the Confession. Why was the fact of Tiffanie C Hale's verbal recorded Confession not used for fair and just reason to withdraw the guilty plea.

(11)

Due to the above mentioned the defendant felt that he had no choice but to take the plea offer and admit guilt to the charge in open Court.

(12)

Since the defendant's plea of guilt in December of 2019, the defendant has spoken with several attorneys concerning his guilty plea and all of them informed him that they believed that he had been misrepresented and that he should inform this Honorable Court, that he was never given a copy of the evidence that the A.U.S.A was planning on using against him so that he could properly prepare for his defense. Also, that by Mr. Caldwell, telling the defendant that he would lose in trial receive maximum Sentence and lose his children that he was in fact threatened and coerced into taking the offered Plea.

(13)

Due to the afore mentioned and the fact that there is new evidence proving that the defendant Christopher Joe Stamper is in fact innocent of all charges the defendant humbly and respectfully request that Honorable Judge Doughty Grant this motion to Dismiss Counsel on the grounds of Ineffective Assist with Counsel.

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Respectfully submitted
Christopher Joe Stampone
pro se

Jan. 22, 2020